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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Frank W. Liebenow

Examiner: Eugene Eickholt

Serial No.: 09/440,243

Group Art Unit: 2854

Filed: November 15, 1999

Docket: 450.264US1

Title: METHOD AND APPARATUS FOR MODIFYING AND CONTROLLING
PRINT INFORMATION

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents

Washington, D.C. 20231

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Applicant has reviewed the Restriction Requirement mailed November 21, 2000, wherein the Examiner has requested election of a single disclosed species from among the following groups: Group A (Figs 1-2); Group B (Fig. 3); Group C (Fig. 4); Group D (Fig. 5); Group E (Fig. 6); Group F (Fig. 7); Group G (Fig. 8); and Group H (Fig. 9).

Applicant provisionally elects, with traverse, the claims of Group A. Claims 1-3 and 12-14 may read on Figs. 1-2. The provisionally elected claims are directed to methods and computer-readable media for overriding a color designation for a subset of a plurality of printable information and printing the printable information.

With respect to the Examiner's requirement for an election of species, Applicant provisionally elects with traverse the species asserted in the Restriction Requirement to be shown in Figs. 1-2. Claims 2-3 and 12-14 may read on this elected species. Reconsideration of the Restriction Requirement, in view of the remarks presented below, is respectfully requested.

Applicant respectfully traverses the Restriction Requirement. The Restriction Requirement is traversed on the basis that the inventions are so closely related they cannot be properly considered independent and distinct within the statutory meaning of 35 U.S.C. § 121. More specifically, the claims are directed to changing (or overriding) a print characteristic for a plurality printable information units and printing the printable information units. Claims 1-10 and 12-30 are directed to varying aspects of changing (or overriding) a color designation for the printable information units and printing the printable information units. Claim 11 is directed to precluding a subset of printable information units from printing and printing the remaining printable information units. Thus, any grouping of the claims in Groups A-H are clearly directed

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to related subject matter.

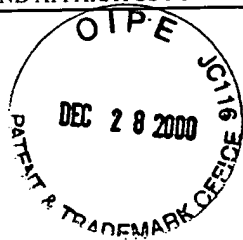
The Restriction Requirement is also traversed on the basis that Restriction Requirements are optional in all cases. M.P.E.P. § 803. If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it arguably may include claims to distinct or independent inventions. M.P.E.P. § 803. In light of this, it is submitted that Applicant should not be required to incur additional costs associated with the filing of multiple divisional applications in order to obtain protection for the claimed subject matter.

Furthermore, it is respectfully submitted that the search and examination of all of the claims of the present application and, in particular, claims in Groups A-H, can be made without serious burden on the Office. As discussed above, claims 1-30 are directed to various aspects of changing or overriding a print characteristic for a plurality of printable information units and printing the printable information units. Given the close relationship between the subject matter of the claims, no additional serious burden can result from the search and examination of all of the claims. Thus, reconsideration and withdrawal of the Restriction Requirement is respectfully requested.

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Conclusion

The Examiner is invited to contact Applicant's Representatives at the below-listed telephone number if there are any questions regarding this Response or if prosecution of this application may be assisted thereby.

Respectfully submitted,

FRANK W. LIEBENOW

By their Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
P.O. Box 2938
Minneapolis, MN 55402
(612) 373-6954

Date December 21, 2000 By [Signature]
Rodney L. Lacy
Reg. No. 41,136

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner of Patents, Washington, D.C. 20231, on this 21st day of December, 2000.

Rodney L. Lacy
Name

[Signature]
Signature

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